

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUSAN AMY SCHLENGER,

Plaintiff,

- against -

METROPOLITAN LIFE INSURANCE AND
FIDELITY NET BENEFITS,

Defendants.
-----X

VICTOR MARRERO, United States District Judge.

CLERK
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ELECTRONICALLY FILED

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DATE FILED: 4-28-09

09 Civ. 3986 (VM)

**ORDER FOR REASSIGNMENT
TO WHITE PLAINS**


In reviewing the complaint filed in this matter the Court notes that plaintiff Susan Schlenger ("Schlenger") asserts that she is a resident of Pleasant Valley, New York; that defendant Metropolitan Life Insurance Company is a Delaware corporation with a principal place of business in New York; and that defendant Fidelity Net Benefits is a Delaware corporation with a place of business in Raleigh, North Carolina, and served as administrator of the IBM Corporation ("IBM") employee benefit plans. The complaint indicates that at all relevant Schlenger was an employee of IBM's facility located in Yorktown, New York and that while so employed she developed a physical disability as a result of which her manager determined that she was too ill to perform her duties. The events giving rise to the claims Schlenger asserts in the underlying action result from defendants' denial of Schlenger's application for long-term disability benefits. It therefore appears that in whole or in major part this action arose in

Westchester County and that all or substantial parts of the material events, documents, persons and potential witnesses related to this action are located in Westchester County. Accordingly, pursuant to Rule 22 of the Rules for the Division of Business Among District Judges, in the interest of justice and sound judicial administration, it is hereby

ORDERED that the Clerk of Court is directed to reassign this case to White Plains.

SO ORDERED.

Dated: NEW YORK, NEW YORK
28 April 2009



VICTOR MARRERO
U.S.D.J.